

Notice of Allowability

Application No.

09/488,509

Examiner

Susanna M. Diaz

Applicant(s)

LEYMANN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment filed May 20, 2004.
2. ☒ The allowed claim(s) is/are 22-29.
3. ☒ The drawings filed on 20 January 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Susanna Diaz
Susanna Diaz
Primary Examiner
A.U. 3623

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ALLOWANCE

1. Claims 22-29 are allowed.

2. The following is an examiner's statement of reasons for allowance:

Fuss et al. (U.S. Patent No. 6,401,119) is the closest prior art of record. Fuss discloses a network management system (i.e., a systems management system (SMS)) that monitors system workflow (i.e., the network management system functions as a workflow management system (WFMS)), detects disturbances in a system, and determines how each disturbance affects other hardware, software, and personnel operations throughout the system (col. 6, lines 20-35, 50-54, 60-65; col. 7, lines 1-24, 46-50; col. 8, lines 7-43; col. 8, line 66 through col. 11, line 8). However, Fuss does not teach or suggest that the SMS and WFMS are two separate systems that communicate with one another, thereby requiring performance of the following steps as part of these communications:

providing a communication bridge between said SMS and said WFMS;

involving said event server of said SMS into the communication bridge by involving a process monitor of said WFMS into event handling; and

providing said process monitor with a set of predetermined rules in order to manage the impact of the error event on said impacted business processes.

The prior art of record fails to teach or suggest the combination of error event detection for "determining impacted business processes and activities within those

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business processes which are impacted by said error event, including both (1) information on the impact of the error event on organization personnel monitored resources, including staff and people, of said distributed application and (2) information on the impact of the error event on information technology monitored resources, including hardware and software, of said SMS," wherein the distributed application is provided in a workflow management system (WFMS) such that the SMS and WFMS are two separate systems that communicate with one another, thereby requiring performance of the following steps as part of these communications: providing a communication bridge between said SMS and said WFMS, involving said event server of said SMS into the communication bridge by involving a process monitor of said WFMS into event handling, and providing said process monitor with a set of predetermined rules in order to manage the impact of the error event on said impacted business processes. This combination of features is recited in claims 22 and 26 and dependent claims 23-25 and 27-29; therefore, claims 22-29 are deemed to be allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (703) 305-1337. The examiner can normally be reached on Monday-Friday, 9 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703)308-1113.

Any response to this action should be mailed to:

**Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

or faxed to:

(703)305-7687 [Official communications; including
After Final communications labeled
"Box AF"]

(703)746-7048 [Informal/Draft communications, labeled
"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 22202, 7th floor receptionist.

Susanne Diaz
Susanna M. Diaz
Primary Examiner
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June 16, 2004